

OFFICIAL COPY

Fresno, California

July 23, 2002

The City Council met in regular session at the hour of 8:30 a.m. in the Council Chambers, City Hall, on the day above written.

Present:	Tom Boyajian	Councilmember
	Brian Calhoun	Councilmember
	Brad Castillo	Acting Council President
	Jerry Duncan	Councilmember
	Sal Quintero	Councilmember
	Dan Ronquillo	Councilmember
	Henry Perea	Council President

Dan Hobbs, City Manager
Dan Fitzpatrick, Agency Executive Director
Hilda Cantu Montoy, City Attorney
Becky Klisch, City Clerk
Yolanda Salazar, Assistant City Clerk

Pastor Rim Powell, Christian Life Assembly, gave the invocation, and a member of the Cyclone softball team led the Pledge of Allegiance to the Flag.

PROCLAMATION OF THE CYCLONE SOFTBALL TEAM DAY - COUNCILMEMBER BOYAJIAN

Read and presented.

PROCLAMATION OF MARGIE WRIGHT DAY - COUNCILMEMBER QUINTERO

Not presented.

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REGULAR MEETING OF THE REDEVELOPMENT AGENCY

The City Council recessed at 8:44 a.m. and convened as the Redevelopment Agency in regular session.

APPROVE AGENCY MINUTES OF JUNE 18, 2002

On motion of Vice Chair Calhoun, seconded by Chair Duncan, duly carried, RESOLVED, the Agency minutes of June 18, 2002, approved as submitted.

**(“A”) HEARING ON THE ADOPTION OF A RESOLUTION RELATING TO THE PROPOSED FIVE-YEAR IMPLEMENTATION PLAN FOR THE ROEDING BUSINESS PARK REDEVELOPMENT PROJECT AREA
1. AGENCY RESOLUTION NO. 1609 - APPROVING THE PROPOSED FIVE-YEAR IMPLEMENTATION PLAN**

Chair Duncan announced the time had arrived to consider the issue and opened the hearing. Director Fitzpatrick reviewed the issue as contained in the staff report as submitted and RDA Project Manager Freeman submitted for the record four language clarifications/adjustments to the Five Year Plan, a copy of which is on file in the office of the City Clerk.

Barbara Hunt, 2475 S. Walnut, spoke to the issue.

Upon call, no one else wished to be heard and Chair Duncan closed the hearing.

Member Ronquillo and Chair Duncan spoke briefly in support of the issue and a motion and second was made to approve staff’s recommendation.

On motion of Member Ronquillo, seconded by Vice Chair Calhoun, duly carried, RESOLVED, the above entitled Agency Resolution No. 1609 hereby adopted, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Perea, Quintero, Ronquillo, Duncan
Noes	:	None
Absent	:	None

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The Redevelopment Agency adjourned its meeting at 8:54 a.m. and the City Council reconvened in regular session.

APPROVE COUNCIL MINUTES OF JULY 16, 2002

On motion of Councilmember Calhoun, seconded by Councilmember Quintero, duly carried, RESOLVED, the minutes of July 16, 2002, approved as submitted.

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APPROVE AGENDA:

REQUEST STAFF TO SCHEDULE ON THE JULY 30TH AGENDA UNDER CITY COUNCIL: “DIRECT STAFF TO CONTACT STATE AND COUNTY OFFICIALS TO IMPLEMENT A CAR-POOLING EDUCATION PROGRAM” - COUNCILMEMBER DUNCAN

Request made.

(10:30 a.m. “E.”) REQUEST STAFF TO RETURN WITH ENABLING DOCUMENTS NECESSARY TO TRANSFER \$161,400 FROM THE GENERAL FUND CONTINGENCY TO THE INFORMATION SERVICES DEPARTMENT TO BE USED FOR CUSTOMER SERVICES SECTION - COUNCILMEMBER QUINTERO

Removed from the agenda by Councilmember Quintero for a later date. Upon question of Councilmember Quintero, President Perea advised all the budget items under **10:30 A.M.** would be considered and voted upon separately and staff would be present to answer questions.

C. RECONSIDERATION AND ACTION REGARDING SPECIFIC LINE ITEMS OF RESOLUTION NO. 2002-216 (ANNUAL APPROPRIATION RESOLUTION) SUBMITTED BY MAYOR AUTRY ON JUNE 30, 2002

1. ACTION #3-B(a) - RECONSIDER \$30,000 IN CDBG FUNDING FOR REPAIRS OF CALWA PARK SWIMMING POOL

D. CONSIDER COUNCIL OVERRIDE OF LINE ITEM VETOES REGARDING RESOLUTION NO. 2002-216 (ANNUAL APPROPRIATION RESOLUTION) SUBMITTED BY MAYOR AUTRY ON JUNE 30, 2002 - PRESIDENT PEREA

5. ACTION #3-B(b) - FUNDING \$30,000 REQUEST FROM CALWA PARK FROM SOCIAL SERVICE FUNDING - PRESIDENT PEREA

City Clerk Klisch advised of a correction to switch the funding sources in the above items to indicate \$30,000 in Social Service funding for item C-1 and \$30,000 in CDBG funding for item D-5. So noted and corrected.

RECONSIDERATION OF \$40,000 FUNDING FROM SOCIAL SERVICE FUNDING FOR C.U.R.E.

City Clerk Klisch advised the above reconsideration item was inadvertently overlooked and not placed on the agenda and that it would be scheduled for action on July 30, 2002. So noted.

(5-D) DISCUSSION AND DIRECTION REGARDING REQUEST FOR PLAN DESIGN FOR THE AREA BOUND BY “R” STREET, “P” STREET, VENTURA AND TULARE TO MAXIMIZE THE OFFICE, COMMERCIAL AND RESIDENTIAL USE IN THIS AREA - COUNCILMEMBER RONQUILLO

Councilmember Ronquillo removed the above item from the agenda and requested it be rescheduled it for July 30, 2002, under a joint Council/Agency meeting at a time certain.

REQUEST FOR STATUS REPORT ON THE SANTA FE DEPOT AND THE PROPERTY EAST OF THE RAILROAD - COUNCILMEMBER RONQUILLO

Request made.

On motion of Councilmember Calhoun, seconded by Acting President Castillo, duly carried, **RESOLVED**, the **AGENDA** hereby approved, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero, Ronquillo, Perea
Noes	:	None
Absent	:	None

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ADOPT CONSENT CALENDAR:

(1-B) * RESOLUTION NO. 2002-247 - 7TH AMENDMENT TO AAR 2002-216 APPROPRIATING \$105,000 FOR THE BULLET PROOF VEST PARTNERSHIP PROGRAM FUNDED BY THE U.S. DEPARTMENT OF JUSTICE AND BUREAU OF JUSTICE ASSISTANCE

(1-C) APPROVE AN AMENDMENT TO THE AGREEMENT WITH BIGGS CARDOSA ASSOCIATES, INC., FOR PROFESSIONAL ENGINEERING SERVICES FOR THE DESIGN OF PLANS AND GENERAL CONSTRUCTION CONTRACT DOCUMENTS FOR THE HERNDON CANAL BRIDGE REPLACEMENT AT PALM AVENUE, AND AUTHORIZE THE CITY MANAGER TO SIGN THE AMENDMENT TO THE AGREEMENT ON BEHALF OF THE CITY

(1-D) APPROVE AMENDMENT NO. 1 TO THE AGREEMENT WITH REINARD W. BRANDLEY ENGINEERING FOR DESIGN CONSULTANT SERVICES FOR THE FRESNO YOSEMITE INTERNATIONAL AIRPORT AIR CARGO IMPROVEMENT PROJECT

(1-E) * RESOLUTION NO. 2002-248 - 9TH AMENDMENT TO AAR 2002-216 APPROPRIATING \$105,000 FOR THE VIOLENCE AGAINST WOMEN LAW ENFORCEMENT SPECIALIZED UNITS PROGRAM

(1-F) RESOLUTION NO. 2002-249 - APPROVING THE FINAL MAP OF TRACT NO. 4903 AND ACCEPTING DEDICATED PUBLIC USES THEREIN, PROPERTY LOCATED ON THE NORTH SIDE OF E. INTERNATIONAL AVENUE BETWEEN N. CHESTNUT AND N. MAPLE AVENUES

1. AUTHORIZE THE PUBLIC WORKS DIRECTOR TO EXECUTE THE SUBDIVISION AGREEMENT, THE STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT FOR LANDSCAPE MAINTENANCE, THE STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT FOR TEMPORARY STORM DRAIN FACILITIES, AND THE STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT TEMPORARY OFF-SITE STREET FACILITIES

2. AUTHORIZE THE PLANNING AND DEVELOPMENT DIRECTOR TO EXECUTE THE STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT DEFERRING CERTAIN SEER CONNECTION CHARGES, WATER CONNECTION CHARGES, URBAN GROWTH MANAGEMENT FEES AND DEVELOPMENT FEES TO THE TIME OF ISSUANCE OF CERTIFICATE OF OCCUPANCY AND CREATION OF LIEN, THE STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT FOR FRONT YARD TREES, AND THE STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT FOR RIGHT TO FARM

3. AUTHORIZE THE PUBLIC UTILITIES DIRECTOR TO EXECUTE THE STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT FOR OFF-SITE DOMESTIC WATER WELL FACILITIES

On motion of Councilmember Duncan, seconded by Acting President Castillo, duly carried, RESOLVED, the above entitled **CONSENT CALENDAR** hereby adopted, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero, Ronquillo, Perea
Noes	:	None
Absent	:	None

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(9:00 A.M. #1) CONTESTED CONSENT ITEMS:

(1-A) APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH RRM DESIGN GROUP FOR DESIGN OF FIRE STATION NO. 21 AT MAPLE AND INTERNATIONAL AVENUES

Interim Public Works Director Owens, Capital Manager Jarvis and an unidentified Fire Department staff member responded to questions and/or comments of Councilmember Boyajian and/or clarified issues relative to the work RRM would be performing, the RFQ process, cost differences of the bidders, lack of information in the staff report relative to criteria and why RRM was chosen over the seven local and other bidders, who the selection committee was, if RRM was from San Luis Obispo, and RRM'S experience and if they had ever worked in Fresno. City Manager Hobbs commented additionally on selection process stating staff used weighted experience and explained, and added information on how/why firms are selected will be included in staff reports in the future.

President Perea stated strong local firms submitted their qualifications and he did not feel the project had to go to a firm in San Luis Obispo and he would not support staff's recommendation.

A motion of Councilmember Duncan, seconded Councilmember Calhoun, to approve a Professional Services Agreement with RRM Design Group in the amount of \$219,834 for design of Fire Station No. 21 at Maple and International Avenues failed, by the following vote:

Ayes	:	Calhoun, Duncan
Noes	:	Boyajian, Castillo, Quintero, Ronquillo, Perea
Absent	:	None

President Perea requested staff work on a local consultant.

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(8:45 A.M.) DISTRIBUTE PROPOSED "DESIGN AND GUIDELINE STANDARDS" AND DIRECT STAFF TO REPORT BACK TO COUNCIL ON THE BEST METHOD FOR IMPLEMENTING THE GUIDELINES NOT SOONER THAN THE ADOPTION OF THE 2025 GENERAL PLAN - COUNCILMEMBER CALHOUN

Reviewed by Councilmember Calhoun who stated he was proposing an interim process to ensure the public has full input to the standards, asked that staff be directed to include the implementation process into the 2025 General Plan hearings, clarified he was not asking for a final vote, acknowledged individuals who volunteered their time and formulated the design guidelines with the assistance of his and development department staff, and gave an overview of the guideline standards as submitted at length **(2 - 0)**.

Speaking to the issue were: Barbara Hunt, 2475 S. Chestnut; Scott Vincent, on behalf of the volunteers, who spoke to the work of the committee; Jeff Harris, Building Industry Association, who stated he felt it would be premature to implement the guidelines in the general plan at this time and explained; and Stebbins Dean, CEO, Chamber of commerce, who stated he concurred with Mr. Harris and spoke briefly to the issue.

Development and Planning Director Yovino stated the guidelines were important for the new general plan and recommended Council accept them to be included in the hearing and adoption process.

A motion and second was made to accept the guidelines and direct staff to report back as outlined above.

Extensive discussion ensued with Mr. Harris, Councilmember Calhoun, Mr. Yovino, City Manager Hobbs and Mr. Vincent commenting, clarifying issues, and/or responding to questions of Councilmembers Duncan, Ronquillo, Boyajian, Quintero and Castillo relative to the BIA's recommendation, if the intent was to have the guidelines implemented before adoption of the general plan, the motion requesting information on the best way to implement the guidelines and when, if approval of the motion would also approve specific guidelines, support for the issue, need to address the look of the inner-city, Mr. Hobbs advising standards to approve a community's aesthetics were recognized 2,000 years ago in ancient Athens, need to honor neighborhood diversity, how the guidelines would be implemented city-wide, concern with the cost to some people to implement the guidelines, if the guidelines would be distributed to neighborhood committees and developers, how the guidelines would affect development applications currently in the process, if the guidelines were for residential development only, the guidelines not being retroactive **(3 - 0)**, concern with placing burdens on inner-city developments, non-matching buildings previously located in the county, the guidelines dealing more with commercial versus residential development, need for implementation committees to have input to the guidelines, concern with cost to the elderly, how the guidelines would differ from what's currently in place, if the guidelines had to be set prior to adoption of the general plan, major streets being the focus, if the intent was to give staff guidelines, and if guidelines currently did not exist. Acting President Castillo commented on the sign ordinance and lack of implementation, stated his concern was the subject standards would not be implemented or enforced and substance was needed versus general language, and stated although this was a great concept he would not support the motion until he saw progress on the sign and car lot ordinances.

On motion of Councilmember Calhoun, seconded by President Perea, duly carried, **RESOLVED**, the proposed "Design and Guideline Standards" accepted and to be distributed, and staff directed to report back on the best method for implementing the guidelines no sooner than the adoption of the 2025 General Plan, by the following vote:

Ayes	:	Boyajian, Calhoun, Duncan, Ronquillo, Perea
Noes	:	Castillo, Quintero
Absent	:	None

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REQUEST FOR STAFF REPORT ON JULY 30, 2002, CLARIFYING PAST ACTION ON SOURCES OF MATCHING FUNDS FOR THE IMPROVEMENT PROJECT ON GOLDEN STATE BOULEVARD, EAST AVENUE, AND JENSEN AVENUE ORIGINALLY ADOPTED BY COUNCIL ON JULY 31, 2001 (FOUNDRY PARK PROJECT) - COUNCILMEMBER RONQUILLO

Request made and the matter was set for July 30, 2002 at 3:00 p.m.

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RECESS - 10:23 A.M. - 10:35 A.M.

(9:00 A.M. #2) CLOSED SESSION:

1. SAN JOAQUIN VALLEY TAXPAYERS ASSOCIATION V. CITY OF FRESNO
2. CLAIM OF J. COBARRUVIAS

(“B”) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - CASE NAME: CITY OF FRESNO V. BLACKSTONE VENTURE I, ET AL.

The City Council met in closed session in Room 2125 at the hour of 10:35 a.m. to consider the above issues and reconvened in regular open session at 11:21 a.m.

CLOSED SESSION ANNOUNCEMENT

City Attorney Montoy announced in the matter of **A-2**, Claim of J. Cobarruvias, the City Council voted 7-0 to deny the \$2 million claim for an incident alleging occurring on 12/29/01.

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(10:15 A.M.) APPEARANCE BY FRESNO COUNTY BICYCLE COALITION REQUESTING ESTABLISHMENT OF A CITIZENS’ ADVISORY COMMITTEE - COUNCILMEMBER BOYAJIAN

Briefly reviewed by Councilmember Boyajian who spoke to his work with the coalition, the importance of bicycling as an alternative mode of transportation, the bad air quality, the need for an advisory committee to promote bicycling efforts, and made a motion to establish a citizens’ advisory committee, which motion was seconded and later acted upon.

Speaking to the issue and/or in support of the motion were: Gene Richards, 625 W. Lamona; Nick Paladino, 8735 N. Cedar; Dallas Blanchard, 2925 N. Jackson; Jeremy Hofer, 415 E. Yale; Carolyn Hudson and her Father Ken Hudson, 1944 W. Fedora; Ann DeLollis, 5330 E. Madison; Charles Fares, 5072 E. Nevada; and Barbara Hunt, 2475 S. Walnut.

City Attorney Montoy responded to questions of Councilmember Duncan relative to whether Council was voting on the model charter submitted and if the mission and specifics of the committee would be coming back to Council. Councilmember Duncan advised of his concerns with the model charter relative to the 2nd paragraph (requesting deletion), need to include joggers in the committee, provide *reasonable* administrative and technical staff support, need for *all* committee members to be city residents, and eliminating the provision of the Board of Supervisors appointing two members. Councilmember Ronquillo commented on the importance of bicycling and coming up with a reasonable plan to link people to buses. Councilmember Calhoun stated staff would be impacted and he felt they needed to review the issue and report back noting they were already providing support to a long list of committees, stated the question of whether a group would better fit into an already-established committee needed to be considered, urged Council to not support the motion and instead direct staff to review the issue and report back on the optimum way to meet the needs of the biking community and runners, **(4 - 0)** and stated he felt it was

premature to create a committee that did not have a clear mission statement. City Manager Hobbs stated the Mayor supported the concept of an advisory committee but he did not support open-ended staffing, and stated he supported

Councilmember Calhoun putting those issues out on the table and added he concurred with the request for a staff assessment. Upon question of Councilmember Quintero, Councilmember Boyajian confirmed he was simply asking for establishment of a committee to work out all issues and concerns mentioned, stated he felt Council was making the issue complicated, and clarified Council was not adopting anything.

On motion of Councilmember Boyajian, seconded by Acting President Castillo, duly carried, RESOLVED, the establishment of a Citizens Advisory Bicycle Committee hereby approved, by the following vote:

Ayes	:	Boyajian, Castillo, Duncan, Quintero, Ronquillo, Perea
Noes	:	Calhoun
Absent	:	None

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(10:30 A.M.) CONSIDERATION OF FISCAL YEAR 2003 BUDGET ISSUES (ITEMS A THROUGH G):

President Perea made opening comments on the budget including his past experiences and the veto and reconsideration rights of the Council and the Mayor in the process; stated this was a challenging budget and everyone had a right to their opinion based on what they believed in; commented on what the FY 03 budget provided for; and relative to the cut by the State stated he did not support the \$620,000 reduction in the police department as it went counter to one of the primary cornerstones of increasing public safety, and questioned how Council would deal with that in the context of budget deliberations. City Attorney Montoy clarified the only items before Council were the vetoes and reconsideration requests, and Controller Quinto clarified the \$620,000 was not a cut to the police budget but were grants that were not recognized, and relative to the \$1.7million gap stated Council was obligated to recognize those cuts even though the State had not taken final action and explained.

A. COUNCIL RECONSIDERATION OF SPECIFIC LINE ITEMS OF RESOLUTION NO. 2002-218 (ANNUAL AMENDMENT TO MFS RES. 80-420) SUBMITTED BY MAYOR AUTRY ON JUNE 30, 2002:

1. ACTION #1-A - RECONSIDER INCREASE IN CURRENT RATES FOR WATER SERVICES BY 8%
2. ACTION #1-B - RECONSIDER INCREASE IN CURRENT RATES FOR RESIDENTIAL SOLID WASTE SERVICES BY 9.5%
3. ACTION #1-C - RECONSIDER INCREASE IN CURRENT RATES FOR COMMERCIAL SOLID WASTE SERVICES BY 15%

B. COUNCIL RECONSIDERATION AND ACTION REGARDING SPECIFIC LINE ITEMS OF RESOLUTION NO. 2002-216 (ANNUAL APPROPRIATION RESOLUTION) SUBMITTED BY MAYOR AUTRY ON JUNE 30, 2002

1. ACTION #4 - RECONSIDER \$150,000 OF CITY CONTRIBUTION TO EDC PLACED INTO CONTINGENCY; REQUEST FUNDING BE RESTORED TO EDC IN ENTIRE PROPOSED AMOUNT OF \$300,000
2. ACTION #5 - RECONSIDER REMOVAL OF \$50,000 FUNDING FOR THE FRESNO WEST APPRENTICESHIP JOB (\$33,00) AND FRESNO WEST ENTREPRENEURIAL TRAINING (\$17,000) PROGRAM BY REINSTATING CDBG FUNDING AS INCLUDED IN PROPOSED BUDGET

C. RECONSIDERATION AND ACTION REGARDING SPECIFIC LINE ITEMS OF RESOLUTION NO. 2002-216 (ANNUAL APPROPRIATION RESOLUTION) SUBMITTED BY MAYOR ON JUNE 30, 2002

1. **ACTION #3-B(a)** - RECONSIDER \$30,000 IN SOCIAL SERVICE FUNDING FOR REPAIRS OF CALWA PARK SWIMMING POOL
2. **ACTION #7-B** - RECONSIDER PLACING \$12,000 IN CONTINGENCY OF CITY CLERK'S OFFICE FOR FUNDING AGENDA SYSTEM UPON COMPLETION OF COST BENEFIT AND COMPATIBILITY STUDIES

D. CONSIDER COUNCIL OVERRIDE OF LINE ITEM VETOES REGARDING RESOLUTION NO. 2002-216 (ANNUAL APPROPRIATION RESOLUTION) SUBMITTED BY MAYOR ON JUNE 30, 2002 - PRESIDENT PEREA

1. **ACTION #2** - \$2,300,000 APPROPRIATION FOR NEIGHBORHOOD INFRASTRUCTURE PROJECTS - COUNCILMEMBER BOYAJIAN AND PRESIDENT PEREA
2. **ACTION #3-A** - \$100,000 FROM APPROPRIATION FOR SOCIAL SERVICE FUNDING - PRESIDENT PEREA
3. **ACTION #3-C** - \$40,000 FROM CDBG FUNDING FOR IN-FILL HOUSING TO BE PROVIDED BY C.U.R.E. - PRESIDENT PEREA
4. **ACTION #8** - \$5,100 APPROPRIATED FOR SALARY INCREASES INCLUDED IN THE BUDGET FOR DISTRICTS 1, 3, 5 AND 7 - COUNCILMEMBER BOYAJIAN
5. **ACTION #3-B(b)** - FUNDING \$30,000 REQUEST FOR CALWA PARK FROM CDBG FUNDS - PRESIDENT PEREA
6. **ACTION #7-A** - \$12,000 FOR NEW AGENDA SYSTEM IN CITY CLERK'S BUDGET - COUNCILMEMBER BOYAJIAN

President Perea opened public testimony on the above issues and advised each speaker would have a total time of three minutes total to speak on any of the above issues.

Speaking to various budget issues were: Sam Frank, FCEA President, 5451 N. Gates #138, who spoke to Item A; Marsha Simpson, 2881 E. Huntington Blvd.. #116, Items A, B-3, C-1, and D-5; Nida Guzon-Palmore, Item B-2; Myser Keels, 1060 Jones, Item B-2; Elder T. J. Caldwell, 1584 W. Orleans, Item B-2; Keith Kelley, 302 Fresno Street, Item B-2; Rhonda Hill, 2478 E. Eclipse, Item 3-C; Zola DeLuca, 704 W. Lamona, Item D-4; Barbara Hunt, Items A, B-2 and other budget issues; Harlan Kelly, who spoke to the issue of solid waste service and Item B-2; and Gloria Torrez, who spoke to Item D-4 and to the issues of transportation dollars staying with FAX, the need to invest in the poor, jobless, homeless and students, and need for increased frequencies on Line 38 and other key lines.

Upon call, no one else wished to be heard, President Perea closed public testimony, and Council deliberations began.

A. COUNCIL RECONSIDERATION OF SPECIFIC LINE ITEMS OF RESOLUTION NO. 2002-218 (ANNUAL AMENDMENT TO MFS RES. 80-420) SUBMITTED BY MAYOR AUTRY ON JUNE 30, 2002:

1. **ACTION #1-A** - RECONSIDER INCREASE IN CURRENT RATES FOR WATER SERVICES BY 8%
2. **ACTION #1-B** - RECONSIDER INCREASE IN CURRENT RATES FOR RESIDENTIAL SOLID WASTE SERVICES BY 9.5%
3. **ACTION #1-C** - RECONSIDER INCREASE IN CURRENT RATES FOR COMMERCIAL SOLID WASTE SERVICES BY 15%

City Manager Hobbs reiterated the reasons the Mayor and staff were recommending an overall 5% utility rate increase and stated even with an increase Fresno would still have lower rates than Selma, Clovis, Bakersfield,

Stockton, and Modesto, and commented on the public utilities department being rated one of the most efficient utility operations in the nation **(5 - 0)** and commended the department for their work stating employee efficiency was recognized.

Councilmember Duncan made a motion to approve the reconsideration and rate increase in Items A-1, A-2 & A-3 as outlined above, which motion was seconded by Councilmember Calhoun and later amended and acted upon.

Extensive discussion ensued with Councilmembers Ronquillo, Duncan, Castillo and President Perea commenting on the issue, stating their position and/or expressing concerns with Ms. Montoy, Mr. Hobbs, Ms. Quinto, Assistant City Attorney Hale, and Public Utilities Director McIntyre clarifying issues and/or responding to questions/comments relative to the State's problems, whether the senior discount being proposed by the Mayor was appropriate, if a study had been conducted to determine if a certain group of rate payers used a particular service less, if the rate decrease was included in the resolution, staff returning with enabling procedures for a discount if the increase is approved, if there was any way to include the discount this date, need for additional information on the study and discount, concern with the services that would be cut and financial impacts if the rates are not increased, concern with some Council members playing a "game of chicken" with the federal government, in-lieu fees, credit ratings, AB 939 and how the CIWMB determines compliance, when compliance programs were last implemented, including commercial in the recycling program, feeling that staff has not done enough and shown good faith efforts to residents to support an increase, the City's independent financial advisor (Kelling, Northcross & Nobriga/ "KNN") and Mr. Brodsly's memo relative to the potential bond default, if it was appropriate to modify the motion to increase the rates subject to a study, **(6 - 0)** response to KNN's analysis of the rate covenant, this not being an issue of a department doing its job, the PUD director having no control over costs to his department, there being the ability to find efficiencies and make cuts in departments other than PUD, and the bond not having to default and increasing utility rates being the wrong thing to do.

Relative to Councilmember Duncan's question on modifying the motion, Ms. Montoy advised Council could make a motion to approve solid waste rate increases with increases not to become effective unless and until (1) staff causes a study to be conducted to justify charging low-income senior citizens a lower amount, (2) the results of such study are submitted to Council for consideration at a duly noticed public hearing, and (3) Council approves such lower rates for low-income senior citizens. Councilmember Duncan withdrew his previous motion and made a motion to approve the reconsideration and rate increases in Items A-1 and A-3 as outlined above, and approve Item A-2 as verbalized by the city attorney, which motion was seconded and acted upon after brief discussion.

Ms. Quinto clarified (1) the benefits that occurred when the pension bonds were refinanced, and (2) the four key elements were that were covered in the ID charges charged to solid waste division. Ms. Montoy responded to questions of Acting President Castillo relative to how people were determined to be low income and if the entire issue could be rejected and have staff return in 90 days after conducting the study for Council to make a decision. Councilmember Ronquillo stated he liked the direction the motion was headed but he wanted to "put the heat on" and get the specific wording in the resolution before final action is taken and commented the rough times being faced. Ms. Quinto clarified the Mayor was proposing the discount based on California Public Utilities Commission Poverty Level Guidelines which were included in Council's material.

A motion of Councilmember Duncan, seconded by Councilmember Calhoun, to approve the rate increases in Items A-1 and A-3 as outlined above, and approve solid waste rate increases as outlined in Item A-2 ,as modified,

with increases not to become effective unless and until (1) staff causes a study to be conducted to justify charging low-income senior citizens a lower amount, (2) the results of such study are submitted to Council for consideration at a duly noticed public hearing, and (3) Council approves such lower rates for low-income senior citizens failed, by the following vote:

Ayes	:	Boyajian, Calhoun, Duncan
Noes	:	Castillo, Quintero, Ronquillo, Perea
Absent	:	None

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Brief discussion ensued on whether to break for lunch or continue with the next item on the agenda whereupon the following action was taken:

On motion of Councilmember Calhoun, seconded by Councilmember Duncan, duly carried, RESOLVED, the remaining budget items listed under 10:30 a.m. tabled to 2:30 p.m., by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan
Noes	:	Quintero, Ronquillo, Perea
Absent	:	None

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LUNCH RECESS - 1:56 P.M. - 2:40 P.M.

(10:30 A.M.) CONTINUED CONSIDERATION OF FY 2003 BUDGET ISSUES (ITEMS B THROUGH G):

B. COUNCIL RECONSIDERATION AND ACTION REGARDING SPECIFIC LINE ITEMS OF RESOLUTION NO. 2002-216 (ANNUAL APPROPRIATION RESOLUTION) SUBMITTED BY MAYOR AUTRY ON JUNE 30, 2002 (REQUIRES FIVE AFFIRMATIVE VOTES)

1. ACTION #4 - RECONSIDER \$150,000 OF CITY CONTRIBUTION TO EDC PLACED INTO CONTINGENCY; REQUEST FUNDING BE RESTORED TO EDC IN ENTIRE PROPOSED AMOUNT OF \$300,000

Acting President Castillo stated Mr. Spaur indicated they were formulating a plan that would be coming back to Council and made a motion to approve the request to restore the total funds.

Dave Spaur, President, EDC, 906 “N” Street, confirmed a draft plan would be submitted to Council and amendments to the current by-laws.

President Perea advised Councilmember Duncan would be the City representative at future EDC meetings. Brief discussion ensued with Acting President Castillo and Mr. Spaur responding to questions of Councilmember Boyajian relative to whether the funds would kept in contingency until a plan was submitted, if Council would have

input, if EDC had a plan, and incentives to target industries. Councilmember Ronquillo stated he had a lot of confidence in Mr. Spaur and commented briefly on the importance of business park developments and in support of

the EDC (7 - 0).

On motion of Acting President Castillo, seconded by Councilmember Duncan, duly carried, RESOLVED, funding hereby restored to EDC in the entire proposed amount of \$300,000, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero, Ronquillo, Perea
Noes	:	None
Absent	:	None

2. ACTION #5 - RECONSIDER REMOVAL OF \$50,000 FUNDING FOR THE FRESNO WEST APPRENTICESHIP JOB (\$33,00) AND FRESNO WEST ENTREPRENEURIAL TRAINING (\$17,000) PROGRAM BY REINSTATING CDBG FUNDING AS INCLUDED IN PROPOSED BUDGET

Charles Francis and Keith Kelley responded to questions of Councilmember Boyajian relative to how the funds would be spent, Mr. Francis' and Mr. Kelley's experience, specifics of the program, if a facility was in place, concern with the number of years apprenticeship programs take and what \$33,000 would specifically do, the program being a preliminary program to the apprenticeship program, if there were any guarantees individuals would finish the program, and if Fresno City College was offering a similar program. Councilmember Ronquillo spoke in support of the programs and made a motion to reinstate the funding, which was seconded and later acted upon.

Upon question of Councilmember Duncan, Controller Quinto stated the city wide deficit was now approximately \$8.1 million with \$1.6 million not related to the utilities. Councilmember Duncan stated the programs sounded very good but he felt a relationship and funding through the Workforce Development Board (WDB) would be an ideal thing and questioned if the WDB funded the programs, why they did not, and how the organization was related to the unions, with Mr. Kelley responding. Councilmember Duncan clarified his concern was the overall financial situation of the city, stated CDBG funds were intended for neighborhoods, and stated he would assist the organization in working with the WDB on funding but he would not support the motion. Mr. Kelley and City Manager Hobbs responded to questions and clarified issues relative to being the programs being CDBG eligible and matching funds. Councilmember Ronquillo stated CDBG was most flexible in the use of funds and these were enhancement dollars, with Councilmember Boyajian concurring this was an appropriate use. President Perea noted no new programs were funded last year with social service funds and stated he could not support funding any this year, and stated he, too, felt the WDB was the place for the programs.

A motion of Councilmember Ronquillo, seconded by Councilmember Boyajian, to reinstate the \$50,000 in CDBG funding for the Fresno West Apprenticeship Job Program (\$33,000) and the Fresno West Entrepreneurial Training Program (\$17,000) as included in the proposed budget failed, by the following vote:

Ayes	:	Boyajian, Ronquillo
Noes	:	Calhoun, Castillo, Duncan, Quintero, Perea
Absent	:	None

3. ACTION #6 - RECONSIDER REMOVAL OF \$17,000 IN FUNDING FOR THE DOWNTOWN CDC -

RESIDENT HOUSING SURVEY BY REINSTATING CDBG FUNDING AS INCLUDE AND IN PROPOSED BUDGET

Reconsideration request failed due to lack of a motion and second.

C. RECONSIDERATION AND ACTION REGARDING SPECIFIC LINE ITEMS OF RESOLUTION NO. 2002-216 (ANNUAL APPROPRIATION RESOLUTION) SUBMITTED BY MAYOR ON JUNE 30, 2002

1. **ACTION #3-B(a)** - RECONSIDER \$30,000 IN SOCIAL SERVICE FUNDING FOR REPAIRS OF CALWA PARK SWIMMING POOL

Questions were presented on the funding source, if approval would reduce social service funds by \$30,000, and why CDBG funds could not be used, with President Perea and City Attorney Montoy responding to questions and clarifying issues relative to social service funding originally proposed, cuts made, and subsequent Item D-5. Councilmember Quintero advised he had met with President Perea to determine a funding source that would not affect CDBG or social service funds and they came up with the funds for a deleted management analyst position in the city manager's office. Upon question of President Perea, City Attorney Montoy recommended no action, override D-5, and make another motion later.

Reconsideration request failed due to lack of a motion and second.

2. **ACTION #7-B** - RECONSIDER PLACING \$12,000 IN CONTINGENCY OF CITY CLERK'S OFFICE FOR FUNDING AGENDA SYSTEM UPON COMPLETION OF COST BENEFIT AND COMPATIBILITY STUDIES

Reconsideration request failed due to lack of a motion and second.

D. CONSIDER COUNCIL OVERRIDE OF LINE ITEM VETOES REGARDING RESOLUTION NO. 2002-216 (ANNUAL APPROPRIATION RESOLUTION) SUBMITTED BY MAYOR ON JUNE 30, 2002 - PRESIDENT PEREA

1. **ACTION #2** - \$2,300,000 APPROPRIATION FOR NEIGHBORHOOD INFRASTRUCTURE PROJECTS - COUNCILMEMBER BOYAJIAN AND PRESIDENT PEREA

Councilmember Boyajian stated he did not support conditions tied to the funds and explained, spoke to the benefit of putting money back into neighborhoods at length, and made a motion to override the veto *without conditions* stating he would not play the game. President Perea stating this was an issue of priorities and relative to a funding source stated funding for projects could be deferred (and not defunded) as has been done in the past. Councilmember Duncan questioned the funding source, stressed the money had to come from somewhere and questioned what everyone was willing to give up, and stated he would not support the override as there was no money. Councilmember Ronquillo spoke in support of the issue, and **(8 - 0)** City Manager Hobbs advised the Mayor was willing to work with Council to evaluate and re-prioritize the projects and added the good will was there

additionally stressing Council is not asked about their priorities and was controlled by bureaucrats, and reiterated the need to continue funding neighborhoods when their value is increased.

On motion of Councilmember Boyajian, seconded by Councilmember Ronquillo, duly carried, RESOLVED, the Mayoral veto of \$2,300,000 appropriation for neighborhood infrastructure projects hereby overridden, by the following vote:

Ayes	:	Boyajian, Castillo, Quintero, Ronquillo, Perea
Noes	:	Calhoun, Duncan
Absent	:	None

2. ACTION #3-A - \$100,000 FROM APPROPRIATION FOR SOCIAL SERVICE FUNDING - PRESIDENT PEREA

President Perea clarified the Mayor proposed \$500,000, Council increased it to \$700,000, and this was now the Mayor's action to reduce that \$700,000 to \$600,000. A motion and second was made to override the veto and brief discussion ensued on where the savings would be applied and confirmation on the amount the State would cut.

A motion of President Perea, seconded by Councilmember Ronquillo, to override the Mayoral veto of \$100,000 from appropriation for social service funding failed due to the need for five affirmative votes, by the following vote:

Ayes	:	Castillo, Quintero, Ronquillo, Perea
Noes	:	Boyajian, Calhoun, Duncan
Absent	:	None

3. ACTION #3-C - \$40,000 FROM CDBG FUNDING FOR IN-FILL HOUSING TO BE PROVIDED BY C.U.R.E. - PRESIDENT PEREA

Councilmember Ronquillo made a motion to override the veto. Unidentified C.U.R.E. representatives, City Manager Hobbs, and Assistant City Manager Souza clarified issues and/or responded to questions of Councilmembers Calhoun and Ronquillo relative to whether C.U.R.E. could not accept CDBG funds, request for clarification on C.U.R.E.'s phone call requesting CDBG dollars not be used, and if CDBG funds could be switched for general fund dollars.

By Council consensus the matter was tabled one week in conjunction with the reconsideration request (the other half of the funding issue).

4. ACTION #8 - \$5,100 APPROPRIATED FOR SALARY INCREASES INCLUDED IN THE BUDGET FOR DISTRICTS 1, 3, 5 AND 7 - COUNCILMEMBER BOYAJIAN

President Perea and Councilmember Boyajian stated the issue had been misrepresented with Councilmember Boyajian explaining the history and intent of the issue, and City Attorney Montoy clarified the dollars were included in the budget case the Civil Service Board approved the increase adding the matter would then be brought back for final action. Councilmember Boyajian clarified his intent was for all council members to have an equal salary.

Lengthy discussion ensued on the past Council action and direction, the process for increases, paying council a percentage of top city officials like Fresno County, council being entitled to a fair compensation, the process adopted two years ago being an appropriate one, the Mayor vetoing the issue due to the tight budget, this being the first time in the process for a yearly review by the Civil Service Board, further clarification by the city attorney on past action, suggestion for a charter amendment to take the politics out of the issue, and kinds of things Council members do outside of the council chamber.

A motion of Councilmember Calhoun, seconded by Councilmember Boyajian, to override the veto of \$5,100 appropriated for salary increase in the budget for Districts 1, 3, 5 and 5 failed due to the need for five affirmative votes, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Quintero
Noes	:	Duncan, Ronquillo, Perea
Absent	:	None

5. ACTION #3-B(b) - FUNDING THE \$30,000 REQUEST FOR CALWA PARK FROM CDBG FUNDS - PRESIDENT PEREA

President Perea clarified the funding source would come from the deleted management analyst position in the city manager's office and advised if this veto is overridden Council could back with a motion to that affect.

On motion of Councilmember Quintero, seconded by Acting President Castillo, duly carried, RESOLVED, the Mayoral veto of funding the \$30,000 request from Calwa Park from CDBG funding hereby overridden, by the following vote:

Ayes	:	Boyajian, Castillo, Quintero, Ronquillo, Perea
Noes	:	Calhoun, Duncan
Absent	:	None

(9 - 0) Councilmember Quintero made a motion to delete the management analyst position in the city manager's office in the amount of \$30,000 and appropriate those funds to Calwa Park. City Manager Hobbs advised those savings were to go towards filling the budget gap and stated Council was double spending a reduction, with President Perea responding. Councilmember Duncan clarified the veto was just overridden which restored funding from CDBG funds and questioned why another motion was being made. Brief discussion ensued on bringing Item D-5 back for discussion and another motion and second was made to appropriate \$30,000 from CDBG for Calwa Park. City Attorney Montoy clarified funds were there from CDBG if the matter was left alone. Upon question of Councilmember Quintero staff confirmed Calwa Park was in a CDBG area. No further action was necessary and there was no further discussion.

6. ACTION #7-A - \$12,000 FOR NEW AGENDA SYSTEM IN CITY CLERK'S BUDGET - COUNCILMEMBER BOYAJIAN

Upon the request of Councilmember Boyajian, City Clerk Klisch advised what the system would do and if it would save the city money. A motion and second was made to override the veto. Councilmember Duncan spoke in support stating this would provide better access to city government and clarified staff would make sure the system was compatible before spending the funds.

On motion of Councilmember Boyajian, seconded by Councilmember Duncan, duly carried, RESOLVED, the Mayoral veto of \$12,000 for a new agenda system in the City Clerk budget hereby overridden, by the following vote:

Ayes	:	Boyajian, Castillo, Duncan, Quintero, Ronquillo, Perea
Noes	:	Calhoun
Absent	:	None

City Manager Hobbs noted the Mayor was very complimentary of the clerk's office but he just wanted the money placed into contingency until there was compatibility testing and a cost benefit analysis.

Upon question of Councilmember Duncan, Controller Quinto advised the current deficit was now \$3.9 to \$4 million and \$10.5 million with the utility issue.

F. APPOINT A COUNCIL AD HOC COMMITTEE TO REVIEW CITY CAPITAL BUDGET AND RETURN TO COUNCIL WITH RE-PRIORITIZATION OF CAPITAL PROJECTS ON AUGUST 20, 2002 - PRESIDENT PEREA

-and-

G. DIRECTION TO STAFF TO RETURN ON AUGUST 20, 2002, WITH NECESSARY DOCUMENTS NEEDED FOR COUNCIL ACTION TO ADDRESS THE FISCAL YEAR 2003 BUDGET IMBALANCE - PRESIDENT PEREA

1. DEPARTMENT OF PUBLIC UTILITIES: (a) ELIMINATION OF \$2 MILLION INTERDEPARTMENTAL CHARGES, (b) ALLOCATION OF FUNDS FROM VACANT POSITIONS TO ENSURE AB 939 COMPLIANCE, AND (c) REFINANCING OF THE SOLID WASTE BONDS

2. SOCIAL SERVICE FUNDING: REDUCE FUNDING TO \$600,000

3. ANY OTHER SPECIFIC ACTIONS RECOMMENDED BY STAFF TO BALANCE THE BUDGET

President Perea made a motion to appoint a committee, advised what the committee would do upon question of Councilmember Duncan, and offered to serve on the committee. Councilmember Calhoun stated his experience serving on the Council Budget Committee was unpleasant; stated he was very discouraged and cynical at this point relative to where the budget was at and questioned if any committee could be trusted to pull the city out of this nosedive; and stated he felt everyone needed to take a deep breath, do some thinking, and come back next week.

Councilmembers Ronquillo, Castillo and Boyajian spoke to the budget issue, in support of an ad hoc committee, and commented on issues relative to Council having indirect control of staff, how things got personal with the budget committee and should not have, clarification that the budget was the people's budget -- not the Mayor's or council's, and that these were difficult times and everyone needed to work together. City Manager Hobbs stated a committee approach worked when the committee's recommendations were listened to by Council as a whole and that you could not have committee members not following the recommendations of the committee or "having amnesia". Brief discussion ensued on the August 20th date for a report back, timeline and the mayor's right to veto, City Attorney Montoy responding to questions and speaking to the need for cooperation on both sides and to get everything done as soon as possible, and who would serve on the committee.

On motion of President Perea, seconded by Acting President Castillo, duly carried, RESOLVED, Councilmember Boyajian, Councilmember Ronquillo and President Perea appointed to the Council Ad Hoc Committee to (1) review the City Capital Budget and return to Council with a re-prioritization of capital projects, and (2) return with necessary documents for Council action needed to address the FY 2003 budget imbalance as outlined above *a soon as possible*, by the following vote:

Ayes	:	Boyajian, Castillo, Duncan, Quintero, Ronquillo, Perea
Noes	:	Calhoun
Absent	:	None

(*Note - Deputy Mayor Montero spoke to the budget issue on behalf of the Mayor after the following issue.)

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(11:00 A.M.) DIRECT STAFF TO RETURN ON JULY 30, 2002, REGARDING A REPORT ON THE REACTIVATION OF THE PARKING AUTHORITY AND REVIEW OF THE DUTIES - COUNCILMEMBER QUINTERO

City Manager Hobbs clarified issues and responded to questions and comments of Councilmember Quintero relative to the duties and goals of the Parking Authority and if reactivation of the Authority would work, non-support for giving difficult issues like meter rates to another body, intent being for staff to review the duties and responsibilities, get the process going, meet with the Agency, and return with recommendations.

Discussion ensued with Assistant City Manager Souza and Mr. Hobbs further clarifying issues and responding to questions/comments of Councilmembers Quintero, Duncan and Ronquillo relative to Authority not being a policy-making body, the Authority having specific goals and purpose, recommendation to give direction to staff to come back with a separate policy-making body if council wants to move in that direction, the flourishing of the downtown and need for an organized process, staff reporting back on the parking issue and what's out there in September, Senator Costa's effort in developing a JPA for parking, and the need for parking being clear.

Barbara Hunt, 2475 S. Walnut, spoke to the issue **(10 - 0)**.

There was no further discussion.

- - - -

Deputy Mayor Montero spoke briefly on behalf of the Mayor to the budget issue and the ad hoc committee just appointed, and acknowledged Council had a right to change their mind but it mattered to the Mayor if minds were changed after discussions were held and decisions were made by the committee and explained.

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(4:45 P.M.) DISCUSSION AND DIRECTION REGARDING IMPLEMENTATION AND FUNDING OF SOUND WALLS ALONG STATE FREEWAY 41 BETWEEN FRIANT ROAD AND THE SAN JOAQUIN RIVER - COUNCILMEMBER CALHOUN

Councilmember Calhoun reviewed the issue as contained in his memo submitted to Council.

Speaking to the need for a sound wall or to the issue were: Henry Arnold, 8564 N. Calaveras; Ken Powell, 8405 N. Calaveras; Joy Thompson; Barbara Hunt, 2475 S. Walnut; and an unidentified gentleman who spoke after Transportation Madewell's review of the issue.

Lengthy discussion ensued with Mr. Madewell, a Caltrans representative, and City Manager Hobbs clarifying issues and responding to questions/comments of Councilmembers Boyajian, Duncan, Castillo, Quintero and President Perea relative to whether developers paid their fair share, if the City usually "nixes" Caltrans' recommendations, staff currently working on funding, it being untrue that people in northeast Fresno do not pay their fair share, Councilmember Duncan advising of work with Councilmember Calhoun and on a plan for meeting with the new area assemblyman to take an agenda to Sacramento on the issue and giving his commitment for results, Acting President Castillo stating the same case could be made for his district and he wanted to make sure funding of sound walls would apply city-wide and not just for north Fresno, formulas used by Caltrans and the City and why differences occur, taking recommendations for sound wall funding to the Transportation Authority, if COG dollars could be used, if it was a good idea to place the issue on the Transportation Authority's agenda so they could start planning, making a presentation to COG, funding being on the horizon, STIP and TEA funds, and if UGM dollars could be used **(11 - 0)**. Councilmember Calhoun promised results would occur and explained and there was no further discussion.

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(5-A) REQUEST DIRECTION REGARDING PROVIDING ADDITIONAL SECURITY FOR THE COUNCIL CHAMBERS - COUNCILMEMBER CALHOUN

Laid over to July 30, 2002.

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(5-B) ESTABLISH A COUNCIL COMMITTEE TO DISCUSS REGIONAL WASTEWATER MATTERS WITH THE CLOVIS CITY COUNCIL - PRESIDENT PEREA AND ACTING PRESIDENT CASTILLO

Laid over to July 30, 2002.

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(5-C) REQUEST THE CITY MANAGER TO DIRECT STAFF TO INITIATE INQUIRIES TO OTHER FIRMS REGARDING THE RED LIGHT CAMERA OPERATION - ACTING PRESIDENT CASTILLO

Laid over to July 30, 2002.

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(3-A) * BILL NO. B-38 - ORDINANCE NO. 2002-40 - AMENDING THE FRESNO MUNICIPAL CODE RELATING TO TECHNICAL CORRECTIONS TO THE CITY OF FRESNO EMPLOYEES RETIREMENT SYSTEM

On motion of Councilmember Calhoun, seconded by Councilmember Duncan, duly carried, RESOLVED, the above entitled Bill No. B-38 adopted as Ordinance No. 2002-40, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero, Perea
Noes	:	None
Absent	:	Ronquillo

- - - -

(3-B) RESOLUTION NO. 2002-250 - AUTHORIZING LOAN GUARANTEE ASSISTANCE UNDER SECTION 108 OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED, RELATING TO THE NEIGHBORHOOD STREETS/PARK IMPROVEMENT PROJECT, PLEDGING AND FURNISHING OF SECURITY AND EXECUTION OF DOCUMENTS AND INSTRUMENTS

Assistant City Manager Souza reviewed the issue as contained in the staff report as submitted and responded to questions of Councilmembers Boyajian and Duncan relative to why a larger loan could not be taken out for neighborhood projects, option of interim borrowing, if the \$1.5 million had already been allocated for projects, request for a report on alternatives be submitted to the council ad hoc committee, and if this was a reimbursement for projects that went through the process two years ago. Councilmember Duncan made a motion to approve staff's recommendation and clarified if the council committee decided to borrow future CDBG funds the ability to obtain additional CDBG funds in the future would be affected. Mr. Souza and Controller Quinto clarified issues and responded to questions of President Perea and Councilmember Boyajian relative today's action taking so long (for projects approved two years ago), the process, this being an unusual model, timeframe to submit an application for other projects, the loan rate, and impact if the resolution is not adopted.

On motion of Councilmember Duncan, seconded by Councilmember Quintero, duly carried, RESOLVED, the above entitled Resolution Nol 2002-250 approving the Section 108 Funding assistance and City participation in the public offering of its Section 108 Series 2002-A certificates hereby adopted, by the following vote:

Ayes	:	Boyajian, Calhoun, Castillo, Duncan, Quintero
Noes	:	Perea
Absent	:	Ronquillo

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UNSCHEDULED ORAL COMMUNICATIONS

APPEARANCE BY BARBARA HUNT, 2475 S. WALNUT, REGARDING DOWNTOWN STADIUM BONDS

Appearance made; no action taken.

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ADJOURNMENT

There being no further business to bring before the Council, the hour of 6:29 p.m. having arrived and hearing no objections, President Perea declared the meeting adjourned.

APPROVED on the 30th day of July, 2002.

Henry Perea, Council President

ATTEST: _____
Yolanda Salazar, Assistant City Clerk